

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-009116-001 DT

03/09/2009

COMMISSIONER SHELLIE SMITH

CLERK OF THE COURT

S. Haynes

Deputy

STATE OF ARIZONA

FRANKIE Y JONES

v.

ANTHONY PHILLIP KUHNS (001)

DOB: 05/03/1975

TAMMY WRAY

APO-SENTENCE IMPRISON-CCC

APPEALS-CCC

AZ DOC

AZ DOC - COMMUNITY SERVICE

DISPOSITION CLERK-CSC

FINANCIAL SERVICES-CCC

RFR

DISPOSITION HEARING PROBATION REVOKED - IMPRISONMENT

2:57 p.m.

Courtroom 812

State's Attorney: Jo Ann Sakato

Defendant's Attorney: Tammy Wray

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Misty Kirk addresses the Court on the Defendant's behalf.

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The Court finds that Defendant rejected the conditions of probation imposed on 11/09/2007 on the following charge (s):

OFFENSE: Count 2 (Amended) Possession of Drug Paraphernalia
Class 6 Undesignated
A.R.S. § 13-3401, 3407, 3415, 3418, 701, 702, 702.01, 707, 801, 802, 901.01 (F)
Date of Offense: 02/27/2004
Non Dangerous - Non Repetitive

Let the record reflect that although probation is available in this matter, the Defendant wishes to reject probation at this time and be sentenced to a term of incarceration at the Department of Corrections.

COUNT 2

IT IS ORDERED the grant of probation be revoked.

The following count(s) are now designated a Felony: Count(s) 2.

IT IS ORDERED that Defendant be committed to the Arizona Department of Corrections for a term of imprisonment as follows:

Count 2: 9 month(s) from 03/09/2009
Presentence Incarceration Credit: 190 day(s)
Slightly less than Presumptive

IT IS ORDERED affirming previous monetary orders relating to fine and fee, with credit for monies paid to date.

All amounts payable through the Clerk of the Superior Court.

The Arizona Department of Corrections/Community Service shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 2 - Imposed pursuant to A.R.S. § 13-603(I).

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IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

IT IS FURTHER ORDERED exonerating the bond posted in this case.

3:12 p.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via Certification Desk

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER SHELLIE SMITH
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)